

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

June 9, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Shannon Montgomery.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors;
 - **Jeff Wirth to address Council concerning amending the City Code to allow for off sale liquor on Sundays between the hours of 12:00 p.m. and 12:00 a.m.**

II UNFINISHED BUSINESS

1. Postpone until June 23, 2009 any action on the annual manufactured home court license for L&M Mobile Home Park, 1122 Central Avenue.
2. Postpone until August 25, 2009 any action on the annual manufactured home court license for Wood River Trailer Court, 865 West 78th Street.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Patrick Slack from Century 21 Midlands (Applicant) for W & S Investments, LLC, Jeanette L. DeBoer, Jerod Dalen Hahn, and Aurora Cooperative (Owners) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from "Agricultural Preserve" to "General Industrial" for tracts of land being part of Government Lot 3 in Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6540, 6620, 6630, 6670 East 39th Street) and approve **Resolution No. 2009-72.**
2. Conduct a public hearing on the Application submitted by Patrick Slack from Century 21 Midlands (Applicant) for W & S Investments, LLC, Jeanette L. DeBoer, Jerod Dalen Hahn, and Aurora Cooperative (Owners) to rezone from District AG, Agricultural District to District M-2, General Industrial District for tracts of land being part of Government Lot 3 in Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6540, 6620, 6630, 6670 East 39th Street).
3. Conduct a public hearing concerning the change of intent of CDBG Program Income Reuse Funds for economic development activity and approve **Resolution No. 2009-73.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 26, 2009.
2. Approve the Claims.
3. Approve Application and Certificate for Payment No. 6 in the amount of \$258,705.00 submitted by Hausmann Construction and approved by Wilkins Hinrichs Stober Architects for the construction of the Peterson Senior Activity Center located at the E.K. and Mary Yanney Heritage Park and approve **Resolution No. 2009-74**.
4. Accept the report from the City Clerk on the sufficiency of objection/protest filed in connection with Paving Improvement District No. 2009-937, Water District No. 2009-558, Sanitary Sewer District No. 2009-498 for 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.
5. Approve the application for a Special Designated License submitted by Kearney Event Center in connection with their Class CK-66275 liquor license to dispense beer, wine and distilled spirits an enclosed fenced area (temporary beer garden) in front of the arena in the parking lot of the Kearney Event Center, 609 Platte Road, on July 3, 2009 (alternate date is July 4, 2009) from 5:00 p.m. until 1:00 a.m. for the July 4th Celebration.
6. Approve the application for a Special Designated License submitted by KEARNEY BBQ CO., dba Skeeter Barnes in connection with their Class I-55865 liquor license to dispense beer, wine and distilled spirits at Scorr Marketing, 2201 Central Avenue, Suite A, on July 9, 2009 from 4:00 p.m. until 9:00 p.m. for a business anniversary and appreciation event.
7. Approve the application for a Special Designated License submitted by KEARNEY BBQ CO., dba Skeeter Barnes in connection with their Class I-55865 liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on August 15, 2009 from 4:00 p.m. until 12:00 a.m. for a wedding reception.
8. Approve the 2009 Recovery Justice Assistance Grant for the Kearney Police Department to go towards the purchase of an automated fingerprint identification system and a QUICK Start mobile computing and bar coding system for evidence management and approve **Resolution No. 2009-75**.
9. Approve the Joint City of Kearney-Buffalo County 2009 ARRA Byrne Justice Assistance Grant Program Award Interlocal Agreement the purchase of an automated fingerprint identification system and a QUICK Start mobile computing and bar coding system for evidence management and approve **Resolution No. 2009-76**.

* *Any item listed on the Consent Agenda may, by the request of any single Council member, be considered as a separate item under the Regular Agenda Section of the Agenda.*

V CONSENT AGENDA ORDINANCES *

1. Approve **Ordinance No. 7524** to repeal Ordinance No. 7520 creating Paving Improvement District No. 2009-937 for 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.
2. Approve **Ordinance No. 7525** to repeal Ordinance No. 7521 creating Water District No. 2009-558 in 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of

441 feet.

3. Approve **Ordinance No. 7526** to repeal Ordinance No. 7522 creating Sanitary Sewer District No. 2009-498 in 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.

VI REGULAR AGENDA

1. Approve **Ordinance No. 7527** to rezone from District AG, Agricultural District to District M-2, General Industrial District for tracts of land being part of Government Lot 3 in Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6540, 6620, 6630, 6670 East 39th Street). (*Pertains to Public Hearings 1 and 2*)
2. Consider the Manager Application for Bruce Bauer submitted by VRK LLC, dba Venue Restaurant & Lounge in connection with their Class C-78777 liquor license located at 110 2nd Avenue South.
3. Consider adopting the City of Kearney Annexation Policy and extension of the Two-Mile Extraterritorial Jurisdiction and approve **Resolution No. 2009-77**.
4. Consider **Resolution No. 2009-78** on the intent to annex the following tract of land: a tract of land being U.S. Highway 30 from the intersection of Antelope Avenue located on the west line of Government Lot 1, Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, thence east to the intersection of Cherry Avenue and U.S. Highway 30 located on the east line of said Section 32, as the same is located within part of Government Lots 1 and 5; and part of the Northeast Quarter of the Southwest Quarter of said Section 32 and lying north of the north right-of-way line of the Union Pacific Railroad and south of Lots 1 and 2 of Vantage Industrial Park, Buffalo County Nebraska; and part of the Northwest Quarter of the Southeast Quarter of said Section 32 lying north of the north right-of-way line of the Union Pacific Railroad; and part of the South Half of the Northeast Quarter of said Section 32, lying north of the north right-of-way line of the Union Pacific Railroad and abutting the east line of said Section 32 at Cherry Avenue, all in Buffalo County, Nebraska and to set the public hearing date for June 23, 2009 at 7:00 p.m.
5. Consider **Resolution No. 2009-79** on the intent to annex the following tracts of land: Lot 1, Block 1, Platte River Commercial Park, a subdivision being part of Government Lot 1, part of Government Lot 2, part of Government Lot 4 and part of Government Lot 5 located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Lots 1 and 2 of Block 1, Platte River Commercial Park Second Addition, a subdivision being part of Government Lot 2 and part of Government Lot 4 located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Lot 1 of Block 2 and Lot 1 of Block 3, North Acre Third, an addition being part of the Southeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; Lots 1 and 2, together with all of 56th Street abutting said Lot 2, Buffalo Commons Retirement Village, a subdivision being part of the South Half of the Southeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and to set the public hearing date for June 23, 2009 at 7:00 p.m.
6. Open Account Claims: **NPPD - \$168.11, Platte Valley State Bank - \$45,664.10, School District #7 - \$2,849.90**

VII REPORTS

VIII ADJOURN

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A current agenda is on file at the Office of the City Clerk at City Hall, 18 East 22nd Street, Kearney, Nebraska. For more information, call 233-3216 or visit our website at www.cityofkearney.org